

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**HB 2145 – SB 2132**

May 13, 2009

**SUMMARY OF AMENDMENT (007799):** Adds language to the original bill and requires the Department of Human Services to revise the Child Care Certificate Program Policy and Procedures Manual through rulemaking in accordance with the Uniform Administrative Procedures Act. Any waiver by a child care agency of the provisions of the bill will be deemed contrary to public policy and shall be void and unenforceable. Requires the Commissioner of the Department of Human Services to conduct at least one public hearing by August 1, 2009, and prior to the adoption of rules and regulations promulgated to effectuate the provisions of the bill.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$7,500/One-Time  
\$190,800/Recurring

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- DHS estimates approximately 200 appeal hearings a year will be conducted as a result of the proposed legislation.
- The Department will need to hire a legal assistant to schedule hearings, conduct research, and provide support; an attorney to prepare the cases; and an attorney to conduct the hearings.
- These three positions will result in an increase in recurring expenditures of \$190,781 which includes salaries (\$140,268), benefits (\$43,813), communications and networking (\$5,200), and supplies (\$1,500). There will be an increase in one-time expenditures of \$7,500 which includes office set-up (\$3,600) and computer costs (\$3,900).
- Any cost for the Department to hold a public hearing by August 1, 2009, will not be significant and can be accommodated within existing resources without an increased appropriation or reduced reversion.

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**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/kml